

City Council Chamber, City Hall, Tuesday, February 19, 2013

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, February 19, 2013, Mayor Annise Parker presiding and with Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Dave Martin, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega and Jack Christie, D. C.; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division; Ms. Marta Crinejo, Agenda Director and Ms. Stella Ortega, Agenda Office present.. Council Member C. O. "Brad" Bradford absent on personal business.

At 1:42 p.m. Mayor Parker asked all to take their seats, called the meeting to order and stated that Council Member Adams would make the first presentation; Council Member Adams invited those with her presentation to the podium and stated that she was honored every year to present Mayoral Certificates to community partners in District D; and presented a Certificate to Mr. Ed Burch with Office Depot, Coach Kenneth Patrick with Pearl Vision and asked the young men with him to stand to be recognized, Mr. Jeffrey Labrosky with Plumbers Union #68, Mr. Kelvin Calvin and Mr. Jerry McCrew with Radio One recognizing each for going above and beyond in helping the community. Council Members Davis, Hoang, Pennington and Rodriguez absent. Mayor Pro Tem Gonzalez presiding.

Council Member Burks thanked the group for all they did in the community. Council Members Davis, Hoang, Pennington and Rodriguez absent. Mayor Pro Tem Gonzalez presiding.

Council Member Green invited those with his presentation to the podium and stated that as all celebrated Black History Month he was pleased to recognize the Greater Houston Black Chamber of Commerce; that last month they officially changed their name from the Houston Citizens Chamber of Commerce as part of its new imaging initiative, they were founded in 1935 and served as an advocate for African American business owners and professionals in the Houston area; and Mayor Parker presented a Proclamation to the Group and proclaimed today as "Greater Houston Black Chamber Day" in Houston, Texas. Council Members Davis, Hoang, Pennington and Rodriguez absent. Mayor Pro Tem Gonzalez presiding.

A Spokesperson for the group stated that they were committed to impacting the city in general; and thanked all for the recognition. Council Members Davis, Hoang, Pennington and Rodriguez absent. Mayor Pro Tem Gonzalez presiding.

Mayor Pro Tem Gonzalez invited those with his presentation to the podium and stated that members of St. Thomas University Basketball Team were also included in his presentation; that 1 out of 2 men, 1 out of 3 women were diagnosed with cancer and 1 out of 4 Americans would lose their lives to cancer; that 1,500 Americans died of cancer daily; that Mr. Gabe Canales had been a longtime friend and he was a fan of all the outreach he did to bring awareness to cancer; that he had been diagnosed with prostate cancer at 35 and then founded the Blue Cure Foundation, an organization for men with a focus on the younger generation encouraging early testing and lifestyle changes; that today they were commending Blue Cure in all efforts in helping to save lives; and Mayor Parker presented Mr. Canales a Proclamation and proclaimed today as "Blue Cure Prostate Prevention Day" in Houston, Texas. Council Members Davis, Hoang, Pennington and Rodriguez absent. Council Member Adams presiding.

Mr. Canales stated that more than one-half of all cancer was preventable, when he was diagnosed at age 35 he had no family history of any type cancer; that he became more educated and learned that the hormones, antibiotics, pesticides, environmental factors, etc., contributed to the rise in cancer rates and it was unfortunate they did not have a bigger

emphasis on these things and they must reach the younger generation with this message; and urged he meet with all Council Members to get the message out; and thanked members of the St. Thomas Basket Ball Team for being an example of what they wanted to do across the country, they did heed the message and were living the anticancer lifestyle and encouraging others to embrace it also; and thanked all for the recognition. Council Members Davis, Hoang, Pennington and Rodriguez absent. Council Member Adams presiding.

Council Member Christie stated that he appreciated him here today; that disease was preventable and all were built with the perfect pharmacy lab in each, more than 50% of the disease was preventable; that cancer cells were normal cells which got out of control and they needed to find what was getting out of control; and April 25th he wanted them at the conference at Rice University and promote what they were doing. Council Members Davis, Hoang, Pennington and Rodriguez absent. Council Member Adams presiding.

Council Member Green stated that he appreciated their message of prevention, it was key in getting healthcare in place; that they were holding a health fair in May and invited them to attend. Council Members Davis, Hoang, Pennington and Rodriguez absent. Council Member Adams presiding.

Council Member Martin stated that he also had an invitation for the young guys; that young students of today did a lot more than adults; that a documentary film was being made at this time called 4,000; that this summer around 70 students with the University of Texas would embark on a cross country bike journey from Austin, Texas to Anchorage, Alaska and their mission was to spread awareness for fighting against cancer; and invited them to contact the group; and applauded all for their efforts. Council Members Davis, Hoang, Pennington and Rodriguez absent. Council Member Adams presiding.

At 2:03 p.m. Mayor Parker called on Council Member Christie who called on Bishop Rizzotto who was appointed by Pope John Paul II to lead all in the invocation and Council Member Christie led all in the pledge. Council Members Pennington and Rodriguez absent.

At 2:06 p.m. the City Secretary called the roll. Council Member Bradford absent on personal business. Council Member Pennington absent.

Council Members Gonzalez and Burks moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Bradford absent on personal business. Council Member Pennington absent. MOTION ADOPTED.

Council Member Gonzalez moved the rules be suspended for the purpose of adding Ms. Lianne Lami to the top of the three minute Non Agenda Speakers List, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Bradford absent on personal business. Council Members Adams and Pennington absent. MOTION 2013-0126 ADOPTED.

At 2:08 p.m. the City Secretary began calling the public speakers. Council Members Adams and Pennington absent.

Mr. John Ferrata, 3030 Ella, Houston, Texas 77018 (713-862-5544) appeared on Agenda Item 41 and stated that it was regarding fingerprinting for background checks for auto repair facility licensing; that apparently the FBI and Department of Public Safety did not want to do them any longer and the Auto Detail Division or HPD needed to look for another way to do it; that ASA had a code of ethics and they did not want to be associated with shops with criminal backgrounds, they did strive for honesty and today he was present asking for a more concise explanation for the need for changes, what would be the cost to shop owners; how much time it would take to be fingerprinted and they wanted a two week period to discuss it with the

Automotive Association members and then get back with them. Council Member Pennington absent.

Mayor Parker stated that she wanted to make sure they were not changing the need for background check and fingerprints which they had done for years, they were just sending the information to a different place for processing; and Mr. Ferrata stated that he understood the need for background checks, he had never been fingerprinted in 18 years; and Mayor Parker stated that they were taking the data and going through DPS because of changes in policy with CODAS, they were not adding anything new; and Mr. Ferrata stated that it would now go through a third party vender and cost them more money and the industry should be informed of such; and Mayor Parker stated that it was not the city's choice they were told they had to do this differently and they were the only vender DPS used; that Captain Baimbridge was present and could speak with him at this time. Council Member Pennington absent.

Council Member Gonzalez stated that his information was the new policy did not allow HPD to conduct the state and national criminal background checks, it was not that they did not want to, it was based on a mandate by state and federal law with respect to the issuance of license and permits as they were not deemed to be a part of criminal investigation; that they did not want them accessing those data bases for administrative requirements. Council Member Pennington absent.

Council Member Brown stated that information shared with her office was DPS was the entity saying to HPD that they could not be doing the background checks because of no criminal investigation, but that was the whole point of doing the check was to see if the applicants had something to do with the job they were taking on, it was safety and she felt they should all be informed to the reasoning of that logic. Council Member Pennington absent.

Council Member Brown moved the rules be suspended for the purpose of extending the time for questions of Mr. John Ferrata, seconded by Council Member Laster. All voting aye. Nays none. Council Member Bradford absent on personal business. Council Member Pennington absent. MOTION 2013-0127 ADOPTED.

Upon questions by Council Member Brown, Mr. Ferrata stated that he felt they would be charged for doing something required because DPS was not doing it, it was a cost issue which would be passed on to them; that he felt the "Request for Council Action" was written to baffle people, it was vague and he felt all should be better informed. Council Members Davis and Pennington absent.

Ms. Kathryn Vanderpol, 4610 N. Shepherd, Houston, Texas 77018 (713-695-5071) appeared on Agenda Item 41, presented information and stated that she was owner of a garage and region two director for the Automotive Service Association for the State of Texas and she too shared Mr. Ferrata's concern; that the item was amending various chapters in the Code which would require all those in industries licensed by the Houston Auto Dealers to have a criminal background check and fingerprints to maintain current licenses and apply for new ones and it effected the entire automotive industry, except convenience stores which only needed a retail sales license; that she understood it was to be in compliance with state and federal law, but the outcome was thousands of law abiding citizens would be fingerprinted and that was also for antique businesses, etc., that the industry should have input and there was a loophole in the ordinance. Council Members Davis and Pennington absent.

Upon questions by Council Member Noriega, Mayor Parker stated that auto repair shops already had to have criminal background checks, for a long time, this was nothing new, but the State and Feds had changed the way they were allowed to do it; that if they believed criminal background checks were needed in the industry this was the only way they were allowed to do

it; and Council Member Noriega stated that if Ms. Vanderpol and her colleagues were present it seemed they did not do as thorough a job as they might have in terms of visiting with stakeholders of the industry; and Mayor Parker stated that if they were to continue to do background checks this was their only way; that they could delay the implementation of the law; and Council Member Noriega stated that she would feel better if they took time and make sure all understood; and Mayor Parker stated that was a good idea as clearly there was a lot of misinformation. Council Members Davis, Pennington and Rodriguez absent.

Upon questions by Council Member Brown, Ms. Vanderpol stated to renew their license they would send in a check; that if they did any criminal background check they had been totally unaware of it. Council Members Davis, Pennington and Rodriguez absent.

Council Member Brown moved the rules be suspended for the purpose of extending the time for questions of Ms. Kathryn Vanderpol, seconded by Council Member Hoang. All voting aye. Nays none. Council Member Bradford absent on personal business. Council Members Davis, Pennington and Rodriguez absent. MOTION 2013-0128 ADOPTED.

Upon further questions by Council Member Brown, Ms. Vanderpol stated that one question asked in information she presented was since the city did not have control over state requirements, and the state did not require a criminal background check as a precondition for obtaining a city permit, it allowed the city to make that a requirement if they wanted to so back to her first question, if the city was requiring the background check and the state required they be conducted by the third party vender, to a law abiding citizen this did not seem just; that if a shop had a violation then HPD could open the database; and Council Member Brown stated that she would guess she needed to ask Legal questions. Council Members Davis, Pennington and Rodriguez absent.

Council Member Gonzalez moved the rules be suspended for the purpose of hearing from Captain Baimbridge relative to Item 41 on the Agenda, seconded by Council Member Burks. All voting aye. Nays none. Council Member Bradford absent on personal business. Council Members Davis, Pennington and Rodriguez absent. MOTION 2013-0129 ADOPTED.

Captain Baimbridge appeared, introduced Lieutenant Hitzman, over Auto Dealers, and Lieutenant Adams with the Identity Verification Unit and stated that in a nutshell this was a federal change, they were no longer allowing states to access computers at HPD for non-criminal justice purposes only and they considered licensing a non-criminal justice purpose and as such they had to comply with the mandate because they were the ones who allowed them to have access; that if they did not pass one of their audits they could not have access for any task in HPD; that they told them how they would conduct licensing, they would go through their sole source vendor at \$41.00 and it was explained a feature was coming with DPS next year which would be a onetime cost. Council Members Davis and Rodriguez absent.

Upon questions by Mayor Parker, Captain Baimbridge stated that they never meant to implement this once passed; that they would educate the community, send flyers, etc., to the industry; that she was wanting a three month period before implementation. Council Members Davis and Rodriguez absent.

Upon questions by Council Member Christie, Mayor Parker stated that this was a new \$41.00 fee as they used to do it within house; that it was a mandate without funding. Council Members Davis and Rodriguez absent.

Council Member Noriega stated that her concern was people were not notified appropriately and felt there would be a better outcome meeting with stakeholders; and Captain Baimbridge stated that this was a mandate and they would absolutely vet with stakeholders and avail

themselves. Council Members Davis and Rodriguez absent.

Dr. Alkebu Motapa, 5022 Cosby, Houston, Texas 77021 (713-741-5150) had reserved time to speak but was not present when his name was called. Council Members Davis and Rodriguez absent.

Mr. Travis McGee, 5747 Lakefield Drive, Houston, Texas 77033 (832-488-7709) appeared and stated that he was present in support of Edgewood Park; that 49 parks were in District D but not all were being serviced; that they wanted to know the plans for the park and funding; and they were overdue for a multi purpose center. Council Members Davis, Rodriguez and Noriega absent.

Upon questions by Council Member Green, Mr. McGee stated that he was told a year ago there was funding, but there was no progress and nothing on the CIP for their area. Council Members Davis, Rodriguez and Noriega absent.

Upon questions by Council Member Burks, Mayor Parker stated that this park was in Council Member Adams district, it was three buildings, the gymnasium was structurally unsound and demolished and they could not use CDBG funds because it was in the floodplain and they were working with the Council Member to determine whether there was another park they could substitute, tap into CDBG funds and then program local bond dollars, but it had not yet been determined if that was possible; that the park still had a building with an activity room. Council Members Davis, Hoang, Rodriguez and Noriega absent.

Ms. Lianne Lami, who was previously added to the Speakers List, appeared as others stood in support and stated that she was present representing the Women Contractors Association; that they had presented a letter previously and as women in construction they faced challenges; that they would like WBE's added back into the program with 11%; etc. Council Members Davis, Rodriguez and Noriega absent.

Council Member Green stated that he would like Ms. Lami to complete her statement; and Ms. Lami stated that the Office of Business Opportunity worked with the Department of General Services and Department of Public Works to unbundled contracts and make construction opportunities available in more disciplined specific areas and they were advocating the unbundling continue and be done even more; that they were advocating there could be better unbundling services; that also prime contractors could submit names of sub contractors to be used after bids were delivered and they were advocating the same time notice of intent and listing of apparent subcontractor awardees be represented at time of the bid and this was already being done at the State and Metro with great success; and Council Member Green stated some recommendations would be unbundling and submission of subs with bid. Council Members Davis, Rodriguez and Noriega absent.

Council Member Pennington stated that he too supported small and women owned businesses; and upon questions, Ms. Lami stated that the Diversity Utilization Study included information on their type of businesses and the Women Contractor Association was in support of all recommendations in the outcome of the study; and there was a tremendous impact on them after their removal from the program; that WBE's dropped 50% in utilization. Council Members Davis, Rodriguez and Noriega absent.

Ms. Patricia Martin, 7065 Belfort, Houston, Texas 77087 (832-276-6470) had reserved time to speak but was not present when her name was called. Council Members Davis, Rodriguez and Noriega absent.

Ms. Helen Mayfield, 4753 Redstart, Houston, Texas 77035 (832-969-4135) appeared and

stated that she was present regarding burglaries at her home; that she reported burglaries in 2012 and once she received copies of her report realized it had been changed to an investigation for mental illness and she wanted to know why. Council Members Davis, Hoang, Pennington, Rodriguez and Noriega absent.

Ms. Lashawn Willis, 9401 Coventry Drive, Houston, Texas 77099 (832-388-8023) appeared and stated that she was present regarding police brutality as in February she and her fiancé were at a friends house when police busted the door with guns pointed, had them on the floor, choked her fiancé, etc., they were arrested and no rights were read and she was still terrified. Council Members Davis, Hoang, Pennington, Rodriguez and Noriega absent.

Mayor Parker stated that she understood many at the house were arrested and if she felt the officer's actions were inappropriate; that she assumed she filed a complaint with Internal Affairs; and Ms. Willis stated that she would be going there; that Sergeant Herndon explained how to do so. Council Members Davis, Cohen, Hoang, Pennington, Rodriguez and Noriega absent.

Council Member Gonzalez encouraged Ms. Willis to take advantage of the process and go forward with her version of the incident if she felt there was wrong doing on the police. Council Members Davis, Cohen, Hoang, Pennington, Rodriguez and Noriega absent.

Council Member Burks stated that he read the information presented; and upon questions, Ms. Willis stated that her fiancé was charged with child endangerment and there were no children there; and Council Member Burks stated the information stated that he was charged with delivery of a controlled substance; and Ms. Willis stated that he was inside with her; and Council Member Burks stated that she should choose friends wisely and stay out of trouble going to the right places. Council Members Davis, Cohen, Hoang, Pennington, Rodriguez and Laster absent.

Upon questions by Council Member Green, Ms. Willis stated that they took off the controlled substance and put child endangerment; that no drugs were found. Council Members Davis, Cohen, Hoang, Pennington, Rodriguez, Laster and Burks absent.

Ms. Olevia Randle, 6023 Beldart, Houston, Texas 77033 (713-733-2348) appeared while others stood in support and stated that she was present regarding Edgewood Park, they needed a gym as they used to have; that it was torn down for its poor condition and she heard Mr. McGee told earlier they were in a floodplain; and discussed during Mayor White's term when someone was told their house was in the floodplain and could not be repaired and right when it was time for their repair. Council Members Cohen, Hoang, Pennington, Gonzalez, Rodriguez and Laster absent.

Council Member Green stated that Ms. Randle should complete her statement; and Ms. Randle stated that she felt a lot of money came in and was always used for something else; and Council Member Green stated that they had the same issue in his district regarding the floodplain and all work on the bayou to remediate that particular area by Edgewood Park was done and they were waiting for the Feds to clear the designation. Council Members Hoang, Pennington, Gonzalez, Rodriguez and Noriega absent.

Ms. Dorothy Dawson, 5859 Hironde, Houston, Texas 77033 (713-733-8734) appeared as others stood in support and stated that she also was present regarding Edgewood Park; that they needed a new indoor gym; that in 2000 a sign was placed on the grounds showing the funds allocated for park renovation which included the gym they were waiting on; and she wanted to know where did the money go. Council Members Hoang, Pennington, Gonzalez, Rodriguez and Noriega absent.

Mayor Parker stated that as she explained to the previous speaker the gym was to be replaced with CDBG funds, federal dollars, because it was in the floodplain they were prohibited from using federal dollars and were figuring out another source of funding; that the money did not go away it just could not be spent there so they were attempting to reprogram those federal dollars into a construction project they were going to use local tax dollars on and use those local dollars to complete that project. Council Members Martin, Hoang, Pennington, Gonzalez, Rodriguez, Costello and Noriega absent.

Council Member Adams thanked all for coming and stated that Director Turner had constant communication with her when the gym was torn down as he saw it was needed; that money was always allocated, but he could not use them as they were in the floodplain, but his solution was to use money for another park; and use the funding for Edgewood Park for the other park; that her request to the Administration was to look into it and switch those dollars and it was being worked on; and Mayor Parker stated that the issue was the swap was a part of Council's approval of the next CIP Plan which would be sometime in June and if she would attend Council Member Adams CIP Meeting Thursday it would be discussed. Council Members Martin, Hoang, Pennington, Rodriguez, Green and Noriega absent.

Ms. Willie Mims, 6031 Kenilwood, Houston, Texas 77033 (713-731-0165) appeared as others stood in support and stated that they were all present today regarding the gym as the children had no place to go and the elderly enjoyed going also; and if the floodplain was the issue why was it not mentioned; that all truly needed the gym and it would be greatly appreciated. Council Members Martin, Hoang, Pennington, Rodriguez, Green and Noriega absent.

Upon questions by Council Member Burks, Mayor Parker stated that buildings were built in the floodplain raised, but she did not know if the federal government allowed it, her understanding was they did not and that was why they were trying to swap the money. Council Members Martin, Hoang, Pennington, Rodriguez, Green and Noriega absent.

Ms. Louella Kelly, 5959 Belneath, Houston, Texas 77033 (713-731-4779) appeared as others stood in support and stated that she was also present regarding Edgewood Park and they would all appreciate the gym built. Council Members Martin, Hoang, Pennington, Rodriguez, Green and Noriega absent.

Ms. Cynthia Pharms, 4700 Wenda, Houston, Texas 77033 (713-734-5606) appeared and stated that she was an activist and community leader in the Sunnyside/South Park area and present with two concerns, Edgewood Park as Council Member Adams said to her funds were given to a library or something and they wanted to know where there funds went. Council Members Martin, Hoang, Pennington, Gonzalez, Rodriguez, Green and Noriega absent.

Mayor Parker stated that no funds were reallocated, she could not take park money and spend it on libraries they were kept segregated, but the money identified could not be spent for that purpose according to federal guidelines and they were attempting to reprogram other money to take care of the problem; and Ms. Pharms stated that another concern was off Cullen and Winders where she submitted application for sidewalks as there were deep ditches and children and seniors on scooters had to go in the street with a senior and child already having been hit; and the Mayor's Office of Disabilities sent a letter stating the completion would be July 2013 to 2014. Council Members Martin, Hoang, Pennington, Rodriguez, Green and Noriega absent.

Mayor Parker stated that they did funding on projects in cycles and having it July 2013 if it were to actually start that fast would actually be lightening speed on behalf of the city. Council

Members Martin, Hoang, Pennington, Rodriguez, Green and Noriega absent.

Council Member Adams stated that if the letter said 2013/2014 it was actually good as they were in 2013 now and would start 2014 in July and about the CDBG dollars proposed, no money had been given to anyone and it could not go to a library; that Edgewood Park was in a floodplain and they wanted to swap money with a park not in the floodplain and allow both parks to be built. Council Members Martin, Hoang, Rodriguez, Green and Laster absent.

Ms. Arlene Sharp, 5739 North Ridge Drive, Houston, Texas 77033 (713-7343-8273) appeared as others stood in support and stated that the Edgewood Park gym was needed for the youth and she knew it would be a bright light to the community. Council Members Martin, Hoang, Rodriguez, Green and Laster absent.

Council Member Costello appeared and stated that he was confident the Administration and Council Member Adams had a good plan to get the gymnasium funded; that his comments were geared to Ms. Pharms questions about the Safe Sidewalk Program as it had very limited funds with three criteria and her particular case met all three criteria; that they currently had a backlog of three to four years and the fact they moved her project up it was right around the corner on a city time schedule. Council Members Martin, Hoang, Rodriguez, Green and Laster absent.

Ms. Joyce Lowe, 5782 Westover, Houston, Texas 77033 (713-738-2706) appeared as others stood in support and stated that she wanted to know how they were put in the floodplain as she lived there 40 years and it never flooded in her home or onto the park as yet. Council Members Martin, Hoang, Gonzalez, Rodriguez, Green and Laster absent.

Council Member Burks thanked all for coming and stated that it was just a process, but the sidewalk was coming. Council Members Martin, Hoang, Rodriguez, Green and Laster absent.

Mayor Parker stated that she was sure Council Member Burks was aware the flood plain changed over time as development occurred and subsidence, etc., and the city did not create the maps but had to live by them. Council Members Martin, Hoang, Rodriguez, Green and Laster absent.

Council Member Adams stated that she hoped to see everyone Thursday night when the director would be there and be able to talk in more detail about the CDBG funds, etc. Council Members Martin, Hoang, Rodriguez, Green and Laster absent.

Mr./Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Martin, Hoang, Rodriguez, Green and Laster absent.

Ms. Gladys House, 1605 Andrews, Houston, Texas 77019 (832-249-0258) appeared and stated that Mayor Parker spoke with her in August regarding Freedmen's Town Youth Center funding and on reimbursement for a job at the airport in 2007 which she had yet not been paid for; that the contact people in the Mayor's Office relating to the youth center dropped the ball; that they had already provided information being asked for and she found from the Houston Galveston Area Council that the money was already provided to the Housing Department, but the money was not implemented as the department did not know how to complete the application. Mayor Parker, Council Members Martin, Hoang, Rodriguez, Rodriguez, Laster, Burks and Christie absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Gonzalez stated that he knew this went back to the previous Administration and at that time the department told her she would need supplementary financial support; and certain information was still missing and she was sent an evaluation. Mayor Parker, Council

Members Martin, Hoang, Rodriguez, Rodriguez, Laster, Burks and Christie absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Emily Nghiem, P. O. Box 981101, Houston, Texas 77098 (713-820-5130) appeared, presented information and stated that it was a shame during Black History Month they were watching the last historic row houses in Freedmen's Town being removed and there was still time to buy the land and stop the moving, yet the city was trying to beat them and destroy history instead of save it; that community groups had plans to generate funding and urged they work together and set a national model. Mayor Parker, Council Members Martin, Hoang, Rodriguez, Rodriguez, Laster, Green, Burks and Christie absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Gonzalez stated that the city had done a great deal to preserve history out there from brick pavers to structures; that he did not know enough about her project, but maybe there were private property issues etc. Mayor Parker, Council Members Martin, Hoang, Rodriguez, Rodriguez, Laster, Green, Burks and Christie absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Council Member Noriega stated that there was a group of students at Carnegie interested in trying to help; that the PTO had a presentation about some things going on there and it might be possible to enlist assistance from the PTO and students. Mayor Parker, Council Members Martin, Hoang, Rodriguez, Rodriguez, Laster, Green and Burks absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Betty McCray, 1410 W. Donovan, Houston, Texas 77091 (713-688-2763) appeared as others stood in support, passed pictures for Council's viewing and stated that she was a resident of Ella Park Terrace and they had a 30 year problem of flooding in the area, it was due to a landfill behind the houses where the owner had built up a wall as tall as their homes and the rain water would run into their property and homes; that her home was flooded four times in a major way and whenever it rained she would get some water; and some present lost their home to flooding. Mayor Parker, Council Members Martin, Hoang, Rodriguez, Laster and Green absent. Mayor Pro Tem Gonzalez presiding.

Mayor Pro Tem Gonzalez stated that it had been an ongoing issue for sometime and their Council Member had been working on the issue; and called on Council Member Davis. Mayor Parker, Council Members Martin, Hoang, Rodriguez, Rodriguez, Laster and Green absent. Mayor Pro Tem Gonzalez presiding.

Upon questions by Council Member Davis, Ms. McCray stated that the city had filed a suit on behalf of their civic club against Mr. Gallegos, owner of the landfill, and they won, but now they had no funding to alleviate the flooding and they were present asking the city to fund them as that needed money; and Council Member Davis stated that Public Works stated they had to do an investigation to see how to do this, but they had no money; that those present came today because it was a 30 year problem and they wanted to know where to go from here. Mayor Parker, Council Members Martin, Hoang, Rodriguez, Rodriguez, Laster and Green absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Gonzalez stated that their Council Member was advocating appropriately for the district and neighbors; that issues in Public Works needed to be worked through to utilize funds and they were trying to work through legal issues with Legal and see how to best move forward with relief; and Mr. Gary Norman was present and could speak with them at this time. Mayor Parker, Council Members Martin, Hoang, Rodriguez, Laster and Green absent. Mayor Pro Tem Gonzalez presiding.

Council Member Burks stated that in his information it stated that a permanent injunction was entered by the Court in September 2012 requiring Mr. Gallegos to construct a barrier or alter the topography of the property to prevent water from migrating and he failed so it seemed things were in place; and Mayor Pro Tem Gonzalez stated that they received more recent information which complicated things a little; and asked they speak to Mr. Gary Norman who was present. Mayor Parker, Council Members Martin, Hoang, Rodriguez, Laster, Green and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Mr. Ralph Sikes, 2205 South Boulevard, Houston, Texas 77098 (713-621-2360) appeared and stated that he was present regarding timing of traffic intersections, specifically at West Alabama and Edloe which was on a two minute cycle, the north and southbound sides only had about 16 seconds of that two minute cycle and at certain times you could not even make a left turn onto Alabama; that Ms. Humphry in the Traffic Department was very helpful and wrote two service numbers which he gave to Mr. Gary Norman, but he was concerned with that timing; and he was also concerned with West Alabama as they were dealing with a lane configuration done years ago because of Spur construction and supposed to be temporary, but was never changed. Mayor Parker, Council Members Davis, Martin, Hoang, Rodriguez, Laster and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Mayor Pro Tem Gonzalez thanked Mr. Sikes for coming and for his input and stated that Public Works had requested a traffic signal technician contact him for correct information and hopefully appropriate modifications could be made; and in addition to that they were requesting re-striping of Alabama between Spur 527 and Shepherd Drive and removal of overhead vegetation which may be obstructing views; and encouraged he speak with Mr. Gary Norman who was present. Mayor Parker, Council Members Davis, Martin, Hoang, Rodriguez, Laster and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Council Member Cohen stated that Mr. Sikes phoned her office; and Mr. Sikes stated that he did not get very far; and Council Member Cohen stated that someone in her office suggested he call 311 which was how to register a concern and he would be given a service request number for her office to follow; and Mr. Sikes stated that he had problems with 311 and with all due respect he did not get far with her office and chose not to any longer; and Council Member Cohen stated that she was sorry he felt he got no where and 311 was doing amazing work now. Mayor Parker, Council Members Davis, Martin, Hoang, Rodriguez, Laster and Noriega absent. Mayor Pro Tem Gonzalez presiding.

Ms. Cynthia Jetson, 510 Bizerte, Houston, Texas 77022 (832-389-1498) appeared and stated that she was a trooper member of the 9th and 10th Calvary Buffalo Soldiers and she had put money down on a horse at a ranch in Pearland and had been trying to get her money back since august 2012 and she was asked to not talk outside the organization or go to court, but all had lied and prolonged the issue and were protecting a thief in their midst. Mayor Parker, Council Members Davis, Adams, Martin, Hoang, Rodriguez, Laster and Noriega absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Gonzalez stated that she was speaking of a private organization and there was no oversight by the City; and maybe the Better Business Bureau could assist; and Ms. Jetson stated that she understood they could not do anything, but she was making it a matter of public record. Mayor Parker, Council Members Davis, Adams, Martin, Hoang, Pennington, Rodriguez and Laster absent. Mayor Pro Tem Gonzalez presiding. (NO QUORUM PRESENT)

Ms. Lisa Benjamini, 10901 Katy Freeway, Houston, Texas 77079 (713-487-7267) appeared, presented information and stated that she was president and founder of the PCOS Foundation, a local 501C3; that PCOS stood for Polycystic Ovarian Syndrome which led to diabetes, heart attack, cancer and stroke; that many should have been diagnosed with PCOS but there was

lack of education and awareness and their biggest event was a 5K Fun Run Walk at the Downtown Aquarium in September; and today she was asking for reconsideration on the Memorial Drive at Bagby street closer as she was denied. Mayor Parker, Council Members Adams, Martin, Hoang, Pennington, Rodriguez and Laster absent. Mayor Pro Tem Gonzalez presiding.

Mayor Pro Tem Gonzalez stated that they were fortunate as today the Director of the Mayor's Office of Special Events was present and she could speak with her at this time. Mayor Parker, Council Members Adams, Martin, Hoang, Pennington, Rodriguez and Laster absent. Mayor Pro Tem Gonzalez presiding.

Council Member Christie stated that he would be more than happy to run in her 5K, but he would like her to look at the Dr. Oz Show from yesterday as he had a simple way of showing hormones, etc., with environmental factors. Mayor Parker, Council Members Adams, Martin, Hoang, Pennington, Rodriguez and Laster absent. Mayor Pro Tem Gonzalez presiding.

Upon questions by Council Member Green, Ms. Benjamini stated that she was told they were not taking new applications for street closures and there were some questions on construction. Mayor Parker, Council Members Adams, Martin, Hoang, Pennington, Rodriguez and Laster absent. Mayor Pro Tem Gonzalez presiding.

Upon questions by Council Member Cohen, Ms. Benjamini stated that they wanted to have two courses the street and stairs as some really enjoyed the stairs and it was beautiful there, but some could not take the stairs; and Council Member Cohen stated that she supported this project tremendously. Mayor Parker, Council Members Adams, Martin, Hoang, Pennington, Rodriguez and Laster absent. Mayor Pro Tem Gonzalez presiding.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 appeared and stated that he was the official U. S. President; and continued expressing his personal opinions until his time expired. Mayor Parker, Council Members Adams, Martin, Hoang, Pennington, Rodriguez and Laster absent. Mayor Pro Tem Gonzalez presiding.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Mayor Parker, Council Members Adams, Martin, Hoang, Pennington, Rodriguez and Laster absent. Mayor Pro Tem Gonzalez presiding.

At 4:15 p. m. Mayor Pro Tem Gonzalez stated that City Council was recessed until 9:00 a.m., Wednesday, February 20, 2013. Council Member Bradford absent on personal business. Mayor Parker, Council Members Adams, Martin, Hoang, Pennington, Rodriguez and Laster absent. Mayor Pro Tem Gonzalez presiding.

The Houston City Council reconvened at 9:00 a.m., Wednesday, February 20, 2013, with Mayor Annise D. Parker presiding and Council Members Helena Brown, Jerry Davis, Ellen R. Cohen, Wanda Adams, Dave Martin, Al Hoang, Oliver Pennington, Edward Gonzalez, James G. Rodriguez, Mike Laster, Larry V. Green, Stephen C. Costello, Andrew C. Burks, Jr., Melissa Noriega, C. O. "Brad" Bradford and Jack Christie, D.C.; Mr. David Feldman, City Attorney; Ms. Marta Crinejo, Agenda Director, and Ms. Stella Ortega, Agenda Office, present.

At 8:25 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:09 a.m. Mayor Parker called the meeting to order and requested the City Secretary to call the consent agenda. Council Members Davis, Cohen, Adams, Rodriguez, Green, Burks

and Noriega absent.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 37

MISCELLANEOUS - NUMBER 1

1. REQUEST from Mayor for confirmation of the reappointment of **VERGIL R. RATLIFF**, to Position Two of the **GREATER HARRIS COUNTY 911 EMERGENCY NETWORK BOARD OF DIRECTORS**, for a term to expire September 30, 2014 – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Davis, Cohen, Adams, Rodriguez, Burks and Noriega absent. MOTION 2013-0130 ADOPTED.

Mayor Parker stated that they had just confirmed the reappointment of Ms. Vergil Ratliff to Position Two of the Greater Harris County 911 Emergency Network Board of Directors and stated that Ms. Ratliff was a retired HPD Officer and many of them knew her, and thanked her for her willingness to serve, and Ms. Ratliff stated that she wanted to thank the Mayor for the opportunity to serve. Council Members Adams, Burks and Noriega absent.

Council Member Gonzalez stated that he had known Vergil and they had actually had an opportunity to work alongside each other and she was an excellent officer and was sure that she would continue to serve well in this capacity and obviously she knew about the process and what it entailed, that he wanted to thank her for serving beyond her service with the Houston Police Department for many years. Council Members Adams, Burks and Noriega absent.

Mayor Parker stated that Ms. Ratliff's last assignment was on her security detail and then she immediately retired. Council Members Adams, Burks and Noriega absent.

Council Member Bradford stated that he wanted to thank her for her continued efforts to help make a difference for the greater good of all, that she had worked a number of years helping students in various training programs and in addition she worked as a training officer and helped train new officers, but perhaps more important than any of that was when Dr. Lee P. Brown was appointed Police Chief there were a group of top notch officers that he brought in to help develop and to help found what was now branded community policing and she was part of that team that originally worked with Chief Brown to help flush out and bring to forefront a policing concept that was used now throughout America, that he wanted to thank her for what she did now and continued to do. Council Members Adams, Burks and Noriega absent.

Mayor Parker stated that she wanted to thank her for her service. Council Members Adams, Burks and Noriega absent.

ACCEPT WORK – NUMBER 3

3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$16,835,885.35 and acceptance of work on contract with **LEM CONSTRUCTION CO., INC** for Southwest Wastewater Treatment Plant Improvements 1.82% over the original contract amount and under 5% contingency amount - **DISTRICT C – COHEN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams, Burks and Noriega absent. MOTION 2013-0131 ADOPTED.

PROPERTY - NUMBERS 5 through 7

5. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Sandra Williams, on behalf of Shasta Holiday, Inc., (Ron Rau, President), for abandonment and sale of Jarmese Street from Coffee Street to the east property line of Lot 19, located within the Southland Acres Subdivision, Parcels SY13-022, SY13-040 and IT13-006 - **DISTRICT D - ADAMS** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams, Burks and Noriega absent. MOTION 2013-0132 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering to purchase and pay relocation assistance expenses for Parcel AY10-257, located at 36 Soren Lane, owned by R. E. Huffstetter, II, for the **FULTON PAVING AND DRAINAGE PROJECT from East Tidwell to East Parker - DISTRICT H - GONZALEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams, Burks and Noriega absent. MOTION 2013-0133 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel LY10-040, located on Northline Drive between Rosamond and Parker, owned by Poseidon Holdings, L.L.C., John Stergiou, Director, for the **NORTHLINE RECONSTRUCTION PROJECT from Parker to Canino - DISTRICT H - GONZALEZ** – was presented, moved by Council Member Gonzalez, seconded by Council Member Bradford. All voting aye. Nays none. Council Members Adams, Burks and Noriega absent. MOTION 2013-0134 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBER 9

9. **AMEND MOTION #2007-742, 7/3/07, as amended by #2012-458, 6/20/2012, TO EXTEND** the expiration date from July 8, 2013 to July 7, 2014, and **TO INCREASE** spending authority from \$6,101,637.66 to \$8,951,217.66 for Firefighter Uniforms for Fire Department, awarded to **LONE STAR UNIFORMS, INC** - \$2,849,580.00 - General and Other Funds – was presented, moved by Council Member Hoang, seconded by Council Member Gonzalez. All voting aye. Nays none. Council Members Adams, Burks and Noriega absent. MOTION 2013-0135 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 10 through 37

10. RESOLUTION approving and authorizing the nomination of **FOSTER WHEELER USA CORPORATION** to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as a Texas State Enterprise Zone Project - **DISTRICT A - BROWN** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Adams, Burks and Noriega absent.
12. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests for rights-of-way in connection with the public improvement project known as the Airline Drive Paving Project (from North Main to IH-610); amending City of Houston Ordinance No. 2011-5 relating thereto; authorizing the acquisition of Fee Simple Title Interest in or easement to two parcels of land required for the project and situated in the John Austin Survey, Abstract No. 1, in Harris County, Texas, said parcels of land being located along the east line of Airline Drive between North Main and IH-610 in Houston, Harris County, Texas by gift, dedication, purchase and use of eminent domain; and further authorizing payment of the costs of such purchases and/or eminent domain

proceedings and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple Title Interest in or easements to two parcels of land required for the project - **DISTRICT H – GONZALEZ** – was presented. All voting aye. Nays none. Council Members Adams, Burks and Noriega absent. ORDINANCE 2013-0135 ADOPTED.

13. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests in connection with the public improvement project known as the Clinton Drive Paving and Drainage Project from Hirsch to Harvey Wilson Road; authorizing the acquisition of Fee Simple Title Interest in or easement to 10 parcels of land required for the project and situated in the Harris and Wilson Survey, Abstract No. 32; in Harris County, Texas, said parcels of land being along the northerly and southerly lines of Clinton Drive from Hirsch to Harvey Wilson Road in Houston, Harris County, Texas, by gift, dedication, purchase and the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for relocation assistance, Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple Title Interest in or easement to the 10 parcels of land required for the project - **DISTRICTS B - DAVIS and H - GONZALEZ** – was presented. All voting aye. Nays none. Council Members Adams, Burks and Noriega absent. ORDINANCE 2013-0136 ADOPTED.
15. ORDINANCE awarding contract to **CKS HYDRO SERVICES, INC** for Runway Rubber Removal Services for the Houston Airport System; providing a maximum contract amount - 3 Years \$190,950.00 - Enterprise Fund - **DISTRICTS B - DAVIS; E - MARTIN and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Adams, Burks and Noriega absent. ORDINANCE 2013-0137 ADOPTED.
17. ORDINANCE amending Ordinance No. 2012-0619 (Passed on June 27, 2012) to increase the maximum contract amount for contract between the City of Houston and **MCLEMORE BUILDING MAINTENANCE, INC** for Janitorial Cleaning and associated services for Various Departments \$419,155.94 - General Fund – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Adams, Burks and Noriega absent.
18. ORDINANCE amending Ordinance No. 2012-0618 (Passed on June 27, 2012) to increase the maximum contract amount for contract between the City of Houston and **MCLEMORE BUILDING MAINTENANCE, INC** for Janitorial Cleaning and associated services for Houston Police Department - \$286,542.64 - General Fund – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Adams, Burks and Noriega absent.
19. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **LION TOTALCARE, INC** (Approved by Ordinance 2008-301) for Cleaning, Decontamination and Repair Services for Fire Protective Ensembles for Various Departments – was presented. All voting aye. Nays none. Council Members Adams, Burks and Noriega absent. ORDINANCE 2013-0138 ADOPTED.
23. ORDINANCE appropriating \$820,000.00 out of General Improvement Consolidated Construction Fund, \$737,000.00 out of Public Library Consolidated Construction Fund, \$1,000,000.00 out of Parks Consolidated Construction Fund, \$171,000.00 out of Solid Waste Consolidated Construction Fund, and \$360,000.00 out of Public Health Consolidated Construction Fund for the Job Order Contracting Program for FY2013; providing a maximum contract amount – was presented. All voting aye. Nays none.

Council Members Adams, Burks and Noriega absent. ORDINANCE 2013-0139 ADOPTED.

25. ORDINANCE appropriating \$1,999,924.00 out of General Improvement Consolidated Construction Fund and awarding Design/Build Contract between the City of Houston and **PIN OAK INTERESTS, LLC** for Miller Outdoor Theater Structural Canopy Improvements; providing funding for contingencies relating to construction of facilities financed by the General Improvement Consolidated Construction Fund - **DISTRICT D – ADAMS** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Adams, Burks and Noriega absent.
26. ORDINANCE appropriating \$245,227.50 out of Parks Consolidated Construction Fund, awarding construction contract to **TRI-POINT CONSTRUCTION SERVICES INCORPORATED** for Townwood Park - Ballfield Lighting & Parking Overlay; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for construction management, engineering and materials testing services, and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund, and Texas Parks and Wildlife Department Fund - \$202,872.00 - Grant Fund - **DISTRICT K – GREEN** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Adams, Burks and Noriega absent.
27. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 388** – was presented. All voting aye. Nays none. Council Members Adams, Burks and Noriega absent. ORDINANCE 2013-0140 ADOPTED.
28. ORDINANCE consenting to the addition of 3.1892 acres of land to **LOUETTA ROAD UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. Council Members Adams, Burks and Noriega absent. ORDINANCE 2013-0141 ADOPTED.
29. ORDINANCE consenting to the addition of 23.651 acres of land to **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 15**, for inclusion in its district – was presented. All voting aye. Nays none. Council Members Adams, Burks and Noriega absent. ORDINANCE 2013-0142 ADOPTED.
30. ORDINANCE consenting to the addition of 26.1572 acres of land to **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 15**, for inclusion in its district – was presented. All voting aye. Nays none. Council Members Adams, Burks and Noriega absent. ORDINANCE 2013-0143 ADOPTED.
31. ORDINANCE approving and authorizing contract between the City and **A&R ENGINEERING AND TESTING, INC, ALLIANCE LABORATORIES, INC, ALL-TERRA ENGINEERING, INC, ASSOCIATED TESTING LABORATORIES, INC, ATSER, L.P., AUSTIN-REED ENGINEERS, L.L.C., AVILES ENGINEERING CORPORATION, COASTAL TESTING LABORATORIES, INC, EARTH ENGINEERING, INC, FUGRO CONSULTANTS, INC, GEOSCIENCE ENGINEERING & TESTING, INC, GEOTEST ENGINEERING, INC, DAE AND ASSOCIATES, LTD. d/b/a GEOTECH ENGINEERING AND TESTING, A Texas Limited Partnership, GORRONDONA & ASSOCIATES, INC, HTS, INC. CONSULTANTS, HVJ ASSOCIATES, INC, JRB ENGINEERING, LLC, KENALL, INC, NINYO & MOORE, INC, PARADIGM CONSULTANTS, INC, PROFESSIONAL SERVICE INDUSTRIES, INC, QC LABORATORIES, INC, RABA-**

KISTNER CONSULTANTS, INC, TERRACON CONSULTANTS, INC, THE MURILLO COMPANY, and TOLUNAY-WONG ENGINEERS, INC, for Testing Laboratory Services – was presented. All voting aye. Nays none. Council Members Adams, Burks and Noriega absent. ORDINANCE 2013-0144 ADOPTED.

34. ORDINANCE appropriating \$1,150,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **S & B INFRASTRUCTURE, LTD.** for Negotiated Work Order Engineering Services associated with Wastewater Lift Stations Improvements; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Members Adams, Burks and Noriega absent. ORDINANCE 2013-0145 ADOPTED.
37. ORDINANCE appropriating \$3,740,862.00 out of Metro Projects Construction DDSRF, awarding contract to **TRAFFIC SYSTEMS CONSTRUCTION, INC** for Citywide Traffic Signal Rebuild Package #3; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; H - GONZALEZ; F - HOANG; G - PENNINGTON; J - LASTER and K - GREEN** – was presented. All voting aye. Nays none. Council Members Adams, Burks and Noriega absent. ORDINANCE 2013-0146 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

ACCEPT WORK

2. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,768,280.00 and acceptance of work on contract with **MILLIS DEVELOPMENT AND CONSTRUCTION, INC** for Herman Brown Park - 5.00% over the original contract amount and within the 5% contingency - **DISTRICT I - RODRIGUEZ** – was presented, moved by Council Member Bradford, seconded by Council Member Pennington. Council Member Brown voting no, balance voting aye. Council Members Burks and Noriega absent. MOTION 2013-0136 ADOPTED.
4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$727,490.51 and acceptance of work on contract with **PELTIER BROTHERS CONSTRUCTION, LTD.** for Pump and Lift Station Replacement for the Westway Utility District Lift Station - 8.34% under the original contact amount - **DISTRICT A - BROWN** – was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. Council Members Burks and Noriega absent. MOTION 2013-0137 ADOPTED.

PURCHASING AND TABULATION OF BIDS

8. **DATABANK IMX, LLC** for OnBase Software and Software Hosting through the Texas Department of Information Resources Agreement for the Housing and Community Development Department - \$397,739.73 - TIRZ Affordable Housing Fund – was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington, and tagged by Council Member Brown. Council Members Burks and Noriega absent.

RESOLUTIONS AND ORDINANCES

11. RESOLUTION amending Resolution No. 2012-34 approving and authorizing the nomination of **GOODMAN MANUFACTURING COMPANY, L.P.** to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as a Texas State Enterprise Zone Project - **DISTRICT A - BROWN** – was presented. All voting aye. Nays none. Council Members Burks and Noriega absent. RESOLUTION 2013-0002 ADOPTED.

14. ORDINANCE authorizing the Mayor to accept funding in the amount of \$1,340,348.70 by executing amendment of solicitation to an Other Transaction Agreement by and between the City and the **DEPARTMENT OF HOMELAND SECURITY TRANSPORTATION SECURITY ADMINISTRATION** for Surveillance Program Enhancements at William P. Hobby Airport (Approved by Ordinance No. 2010-723); approving and authorizing first amendment to that Other Transaction Agreement - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Burks and Noriega absent. ORDINANCE 2013-0147 ADOPTED.

16. ORDINANCE amending Ordinance No. 2008-1230 (Passed on December 30, 2008) to increase the maximum contract amount for contract between the City of Houston and **JOHN BEAN TECHNOLOGIES CORPORATION, JBT AEROTECH AIRPORT SERVICES** for Baggage Handling and Aircraft Support Systems Maintenance and Hardstand Operations Services for the Houston Airport System - \$3,679,017.00 - Enterprise Fund - **DISTRICTS B - DAVIS and E - MARTIN** – was presented. All voting aye. Nays none. Council Members Burks and Noriega absent. ORDINANCE 2013-0148 ADOPTED.

20. ORDINANCE approving and authorizing first amendment for Office Lease and Concession Management Rights to the contract between the City of Houston and **MEMORIAL PARK CONSERVANCY** (Approved by Ordinance No. 2008-0859) - **DISTRICT C - COHEN** – was presented. All voting aye. Nays none. Council Members Burks and Noriega absent. ORDINANCE 2013-0149 ADOPTED.

21. ORDINANCE approving and authorizing Professional Service Agreements between the City of Houston and the **BODE TECHNOLOGY GROUP, INC** and **SORENSEN FORENSICS, LLC** for DNA Analysis; providing a maximum contract amount - \$4,400,000.00 - General and Grant Funds – was presented. Council Members Burks and Noriega absent.

Council Member Brown stated that she would like to see that they address the County letter in context and a clear accounting of all of the rape kits, they needed to know the number of questionable kits and the protocols that would be used to test these kits, would all information be entered into CODOS, would they be prioritizing those kits that pertained to cases that had already gone to trial and people were in prison for, those type of questions and see if they could perhaps have some protocols set up for that, and also the matter of having an independent entity to handle this, that she believed that HPD was still involved, and stated that she would like to tag Item No. 21. Council Member Burks absent.

Mayor Parker stated that Item No. 21 had been tagged, but would point out that everyone of those issues that she had raised were discussed at the last Council meeting. Council Member Burks absent.

22. ORDINANCE approving and authorizing a District Office Lease Agreement between the City of Houston, Texas, as Landlord, and the **HONORABLE SHEILA JACKSON LEE**, member of the U.S. House of Representatives, as Tenant, for lease space located at the Acres Homes Multi-Service Center at 6719 West Montgomery Road, Houston, Texas - **DISTRICT B - DAVIS** – was presented. All voting aye. Nays none. Council Member Burks absent. ORDINANCE 2013-0150 ADOPTED.
24. ORDINANCE appropriating \$126,184.63 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Environmental and Demolition Services Task Order Contracting Program for FY 2012 (Approved by Ordinance No. 2012-0341); providing funding for project management and asbestos and air monitoring services - 5 Years - **DISTRICT A - BROWN** – was presented. All voting aye. Nays none. Council Member Burks absent. ORDINANCE 2013-0151 ADOPTED.
32. ORDINANCE approving and authorizing second amendment and appropriating \$780,000.00 out of Street and Traffic Storm Drainage Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **KLOTZ ASSOCIATES** for the development of a Stormwater Evaluation Enhancement Tool for the Department of Public Works & Engineering (Ordinance 2009-0947) – was presented. All voting aye. Nays none. Council Member Burks absent. ORDINANCE 2013-0152 ADOPTED.
33. ORDINANCE appropriating \$177,200.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to Professional Services Engineering Contract between the City of Houston and **JACOBS ENGINEERING GROUP INC** for Neighborhood Street Reconstruction (Approved By Ordinance No. 2000-0308); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - PENNINGTON** – was presented. All voting aye. Nays none. Council Member Burks absent. ORDINANCE 2013-0153 ADOPTED.
35. ORDINANCE approving and authorizing first amendment and appropriating \$526,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **KALLURI GROUP, INC** for Engineering Services associated with the Northeast Water Purification Plant (Approved by Ordinance No. 2011-0453); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - MARTIN** – was presented. All voting aye. Nays none. Council Member Burks absent. ORDINANCE 2013-0154 ADOPTED.
36. ORDINANCE approving and authorizing first amendment and appropriating \$2,541,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **CAROLLO ENGINEERS, INC** for services associated with Project Advisor/Technical Consultant for the City's Future Expansion for the Northeast Water Purification Plant (Approved by Ordinance No. 2012-0121); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - MARTIN** – was presented. All voting aye. Nays none. Council Member Burks absent. ORDINANCE 2013-0155 ADOPTED.

MATTERS HELD - NUMBERS 38 through 42

38. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,280,885.68 and acceptance of work on contract

with **DURWOOD GREENE CONSTRUCTION CO.** for City Wide Overlay / Rehabilitation Project Package #16 (Work Order Contract) - 4.60% over the original contract amount and under the 5% contingency amount - **DISTRICTS C - COHEN; D - ADAMS; H - GONZALEZ and I – RODRIGUEZ – (This was Item 7 on Agenda of February 13, 2013, TAGGED BY COUNCIL MEMBER ADAMS)** – was presented, moved by Council Member Gonzalez, seconded by Council Member Pennington. All voting aye. Nays none. Council Member Burks absent. MOTION 2013-0138 ADOPTED.

39. ORDINANCE appropriating \$335,579.11 out of Equipment Acquisition Consolidated Fund for purchase of Light-, Medium- and Heavy-Duty, Cabs & Chassis Mounted with Truck Bodies for Various Departments - \$5,019,739.20 - Enterprise and Other Funds – (**This was Item 13 on Agenda of February 13, 2013, TAGGED BY COUNCIL MEMBER BROWN**) – was presented. Council Member Burks absent.

After discussion by Council Members Christi and Brown, a vote was called on Item No. 39. Council Member Brown voting no, balance voting aye. Council Member Burks absent. ORDINANCE 2013-0156 ADOPTED.

- 39a. MOTION by Council Member Gonzalez/Seconded by Council Member Bradford to adopt recommendation from Purchasing Agent to award to **RUSH TRUCK CENTERS OF TEXAS, L.P.** - \$3,724,482.68, **HOUSTON FREIGHTLINER, INC** - \$157,070.00, **TEXAS UNDERGROUND, INC** - \$441,288.00, **GAP VAX, INC** - \$471,875.00, **CHASTANG ENTERPRISES, INC d/b/a CHASTANG BAYOU CITY FORD** - \$84,101.85 and **PHILPOTT MOTORS LTD. d/b/a PHILPOTT FORD** - \$476,500.78 for Light-, Medium- and Heavy-Duty Cabs & Chassis and Truck Bodies through the Interlocal Agreements for Cooperative Purchasing with Houston-Galveston Area Council and the Texas Local Government Purchasing Cooperative (BuyBoard) for Various Departments – (**This was Item 13A on Agenda of February 13, 2013, TAGGED BY COUNCIL MEMBER BROWN**) – was presented. Council Member Brown voting no, balance voting aye. Council Member Burks absent. MOTION 2013-0139 ADOPTED.

40. RESOLUTION supporting the Texas Department of Transportation’s delivery of the SH288 managed lanes and direct connectors for access to the Texas Medical Center - **DISTRICT D - ADAMS – (This was Item 14 on Agenda of February 13, 2013, TAGGED BY COUNCIL MEMBER ADAMS)** – was presented. All voting aye. Nays none. Council Member Burks absent. RESOLUTION 2013-0003 ADOPTED.

41. ORDINANCE **AMENDING SECTIONS OF CHAPTERS 1, 5, 7 AND 8 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to criminal background check requirements and results for the consideration and issuance of certain licenses and permits – (**This was Item 16 on Agenda of February 13, 2013, TAGGED BY COUNCIL MEMBER BROWN**) – was presented. Council Member Burks absent.

Council Member Gonzalez stated that he had passed out the following written amendment to amend Section 10, where instead of taking effect immediately it would take affect basically 60 days following the passage to give enough time of a transition for the department in charge of this to work with the community groups to educate them on this, that as they had talked about this yesterday it was being mandated by both the State and federal government that controlled those databases that they utilized, they would no longer be able to utilize them for administrative type checks so they had to comply, that he thought information had already been passed out to Council Members with some explanation from the department on why they were doing it.

“I move to amend agenda item No. 41 as follows:

“Section 10. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect ~~immediately upon~~ at 12:01 a.m. on the sixtieth day following the day after its passage and approval by the Mayor; ~~however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.~~ Council Member Burks absent.

After discussion by Council Members Adams, Noriega and Gonzalez, Mayor Parker stated that it would allow time for the department to make sure that everybody was informed and have an orderly process; that this does not just affect auto dealers, it also affected second hand scrap metal dealers and game rooms. Council Member Burks absent.

A vote was called on Council Member Gonzalez’s motion to amend Item No. 41. All voting aye. Nays none. Council Member Burks absent. MOTION 2013-0140 ADOPTED.

Council Member Brown asked that because they had stake holders who came and spoke before them, and since they requested not a delay on the implementation but a delay on the vote, could they give a week or whatever they felt comfortable with. Council Member Burks absent.

Mayor Parker stated that would be up to the Council Members and if that was her intent then a motion to delay the item as amended for a week would be a legal motion. Council Member Burks absent.

Council Member Brown moved to delay Item No. 41, for one week, seconded by Council Member Bradford. Council Member Burks absent.

Council Member Bradford stated that he was not sure that he really supported a motion to delay for a week or not but wanted to discuss that, that he had questions concerning whether this particular revision would require the retail supply dealers to pay a fee of any kind, and if a fee was required the money went to DPS or where did the money go to, and whether the industry had any input into this particular modification ordinance. Council Members Burks and Noriega absent.

Mayor Parker stated that there was a fee, the fee would go to DPS and the third party vendor, it did not come to the City of Houston, and she believed there was somebody in the audience who could answer the question as to what conversations had been had, that it was a new fee, that previously when the background checks were done in house there was not a fee charged for the particular service. Council Members Burks and Noriega absent.

Council Member Bradford moved to suspend the rules to hear from HPD representatives, seconded by Council Member Cohen. All voting aye. Nays none. Council Members Burks and Noriega absent. MOTION 2013-0141 ADOPTED.

Mayor Parker requested the representatives to introduce themselves, and Lieutenant Dana Hitzman with HPD Auto Dealers introduced herself, and Mr. Joseph Fenninger, HPD and Deputy Director, F&A, also appeared at the podium. Council Members Burks and Noriega absent.

Lieutenant Hitzman and Mr. Fenninger were questioned at length by Council Members, and Lieutenant Hitzman stated that she would like to clarify, they were referring to the Retail

Supply Dealers, which was a specific license, that Retail Supply Dealers would not be subject to the Criminal History Background Check so there was no new fee for RSDs; that all licenses would be required to pay the fee, the way the ordinance was under 1-10 was that all licenses under Article 2 of Chapter 8, which were all of the licenses that were regulated by auto dealers, with the exception of RSDs, they also got an exception from DPS for wrecker drivers, under their PATSA Contract, the exception from DPS was because they were under contract with the City, they could continue their internal system for their background checks; that the fee was from DPS for the background check, it was a mandate, and was a result of a DPS Audit that said HPD was not in compliance because licensing and permitting was not a criminal justice purpose, so they could not use their internal systems to run criminal background checks, that it was a mandate from DPS, that the fee was \$41.45 for a State and National background check through Morpho Trust, that as to the input question, she brought it up to the Automotive Board about six months ago when she was working on it and she brought it up again, that again this was a mandate that HPD was being required to do. Council Members Burks and Noriega absent.

Mr. Joe Fenninger stated that when vendors came through the Houston Police Department they had been getting the back ground check for free, and now they had to go through DPS and they had to pay the DPS fee, that it was new to them but it was not a new fee. Council Members Burks and Noriega absent.

After further discussion and questions Council Member Adams asked how would this be in tune with the game rooms. Council Members Burks and Noriega absent.

Mayor Parker stated that it was an ARA question and invited Mr. Christopher Newport to the podium. Council Members Burks and Noriega absent.

Mr. Newport stated that the game room owners and operators would be required to be finger printed and have their background checks performed pursuant to Chapter 1-10, they would just not be going to HPD for this purpose so they would follow under this and would be assessed the \$41.45 as well. Council Members Burks and Noriega absent.

After further discussion by Council Members, Council Member Pennington stated that he understood it was a State mandate and asked if there was any way that the ordinance could be amended if they delayed it for a week, and Mr. Fenninger stated that he did not see how they could, but anything was possible and they would probably need to go through that with the Legal Department. Council Members Burks and Noriega absent.

Mayor Parker stated that if they wanted to do background checks this was the only way they could do background checks, the only way it would change was if they decided they no longer needed to do background checks in these industries, they could amend their own ordinance. Council Members Burks and Noriega absent.

After further discussion by Council Members, Council Member Bradford asked how many vendors would be impacted if it were to be delayed for a week, and Lieutenant stated that she had annual figures, if they counted all renewals, and she was only speaking for auto dealers, she could not speak on behalf of ARA, but for auto dealers they process about 8,000 applicants a year, and that included renewals and new licenses; that the request for action was not presented to the Automotive Board for consideration, they did not vote on it because it was a mandate from the State, so there was not a vote to be had by the Automotive Board on the issue, but they were made aware of it. Council Members Burks and Noriega absent.

Council Member Bradford stated that having heard the discussion he was not sure a delay would serve any value and would withdraw his second of the motion to delay. Council Members Burks and Noriega absent.

Council Member Brown stated that she did not know where they would go from here, did there need to be a second to her motion, and Mayor Parker stated that currently there was no second to Council Member Brown's motion.

Mayor Parker asked if there was a second to Council Member Brown's motion to delay and hearing none stated that there was no second. Council Members Burks and Noriega absent. MOTION 2013-0142 DIED FOR LACK OF A SECOND.

A vote was called on Item No. 41 as amended. Council Member Brown voting no, balance voting aye. Council Members Burks and Noriega absent. ORDINANCE 2013-0157 ADOPTED AS AMENDED.

42. ORDINANCE appropriating \$3,450,000.00 out of Fire Consolidated Construction Fund, \$2,100,000.00 out of Police Consolidated Construction Fund and \$100,000.00 out of Public Health Consolidated Construction Fund to the In-House Renovation Revolving Fund for the Renovation and Office Build-out Projects for various City facilities during Fiscal Year 2013 – **(This was Item 26 on Agenda of February 13, 2013, TAGGED BY COUNCIL MEMBER COSTELLO)** - was presented. Council Member Burks absent.

Council Member Costello stated that he tagged this item for a reason and not necessarily related to the item but it was, that it was just a transfer of funds, reimbursing a fund for renovations, that he wanted to take the opportunity to talk a little more about the Facilities Assessment that was presented to the Budget and Fiscal Affairs Committee in August 2012, and it had to do with the fact that they had a long term plan to bring their facilities to what they called good standards, and the issue was whether or not they were allocating money in the future to reach that particular goal, that it was a 15 year Strategic Plan and it was going to cost about \$1.3 billion over the life of the plan and yet they did not have a resource set aside for getting their facilities up to standards, to clarify they were talking somewhere about 300 to 400 buildings that they managed and the problem they had was that each department was sort of operating in a silo and yet they reached out to GSD to be the overall management of their facilities, so they needed to step away from the silo effect and get more involved with GSD in terms of making sure they had money set aside in the future to make sure they did these improvements, that he just wanted to shed some light on that issue because he was going to be advocating for that as they moved through the budget process and would be reaching out to the administration so see if there was some way they could start setting up a sinking fund for their facilities in the future. Council Member Burks absent.

Mayor Parker stated that Council Member Costello had raised a serious issue, one that had concerned her as well, that now that they did have the formal Facilities Assessment they knew the scope of the issue, decades of deferred maintenance had to be dealt with. Council Member Burks absent.

Upon questions by Council Member Adams, Mayor Parker stated that as they stated their first priority were the health and safety needs that were identified through Facilities Assessment and their goal was to schedule them into the CIP, the immediate crisis needs as rapidly as possible, but just the fact that they had the authority to borrow money did not mean that they had the capacity to borrow money, that several Mayor's ago they started back loading debt so they were still going up a debt hump so the ability to add new borrowing and short term was limited so that was how they were prioritizing, immediately health and safety and then working their way down. Council Members Rodriguez and Burks absent.

Items received during meeting.

10. RESOLUTION approving and authorizing the nomination of **FOSTER WHEELER USA CORPORATION** to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as a Texas State Enterprise Zone Project - **DISTRICT A – BROWN** - was presented. All voting aye. Nays none. Council Members Rodriguez and Burks absent. RESOLUTION 2013-0004 ADOPTED.
17. ORDINANCE amending Ordinance No. 2012-0619 (Passed on June 27, 2012) to increase the maximum contract amount for contract between the City of Houston and **MCLEMORE BUILDING MAINTENANCE, INC** for Janitorial Cleaning and associated services for Various Departments \$419,155.94 - General Fund - was presented. All voting aye. Nays none. Council Members Rodriguez and Burks absent. ORDINANCE 2013-0159 ADOPTED.
18. ORDINANCE amending Ordinance No. 2012-0618 (Passed on June 27, 2012) to increase the maximum contract amount for contract between the City of Houston and **MCLEMORE BUILDING MAINTENANCE, INC** for Janitorial Cleaning and associated services for Houston Police Department - \$286,542.64 - General Fund - was presented. All voting aye. Nays none. Council Members Rodriguez and Burks absent. ORDINANCE 2013-0160 ADOPTED.
25. ORDINANCE appropriating \$1,999,924.00 out of General Improvement Consolidated Construction Fund and awarding Design/Build Contract between the City of Houston and **PIN OAK INTERESTS, LLC** for Miller Outdoor Theater Structural Canopy Improvements; providing funding for contingencies relating to construction of facilities financed by the General Improvement Consolidated Construction Fund - **DISTRICT D – ADAMS** - was presented. All voting aye. Nays none. Council Members Rodriguez and Burks absent. ORDINANCE 2013-0161 ADOPTED.
26. ORDINANCE appropriating \$245,227.50 out of Parks Consolidated Construction Fund, awarding construction contract to **TRI-POINT CONSTRUCTION SERVICES INCORPORATED** for Townwood Park - Ballfield Lighting & Parking Overlay; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for construction management, engineering and materials testing services, and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund, and Texas Parks and Wildlife Department Fund - \$202,872.00 - Grant Fund - **DISTRICT K – GREEN** - was presented. Council Member Brown voting no, balance voting aye. Council Members Rodriguez and Burks absent. ORDINANCE 2013-0162 ADOPTED.

Mayor Parker stated that she wanted to inform everybody that they were finalists in the National Mayor's Challenge which was sponsored by Bloomberg Philanthropies, they submitted a proposal called "One Bin For All", which was a pilot program to completely change how they handled trash, that right now they separated so called "trash" from "recycling" and a one bin solution puts everything in together and treated everything as recycling, that as part of the challenge there was a "Fan Favorite Contest" that went live today at 12:00 p.m. and lasted for two weeks so she wanted to encourage Council Members to get the word out that Houstonians should vote for the City of Houston "One Bin For All Idea", they would win \$50,000 if they had the most votes, in addition to winning the overall competition, which was in the millions, but \$50,000 if they had the most votes, and the voting page was on the HuffingtonPost Website, labeled "Mayor's Challenge", that she would encourage folks to get out and do that; that she

wanted to remind everybody that Friday was “Go Texan Day in Houston”., that the Rodeo Parade, with a new parade route, would kickoff on Saturday morning, that the new parade route started outside City Hall instead of the Alley Theater, as had been the traditional route, due to the fact that there would be new Metro Rail Lines and a lot of construction on the east end of downtown, that things were changing in downtown and this would be the new route for the future. Council Members Rodriguez and Burks absent.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Gonzalez stated that he wanted to acknowledge two City employees who had above and beyond for District H, Mr. Jarrad Mears, Animal Control Manager, and Mr. Christopher Miller, Senior Animal Control Officer, responded to a call by a senior citizen in Denver Harbor over the weekend, they assisted the constituent by placing a trap for a wild dog on her property, and Christopher insured that the constituent knew how the trap worked and provided personal information for a follow up once the dog was captured, this was one of the most common concerns they had as District Council Members and hoped they could find ways to better assist BARC because he knew they were swamped with requests for similar calls of wild dogs that were loose in the community who were not permitting individuals to walk up and down the street because these dogs were roaming freely, obviously the concern was always that a dog bite could occur and someone could be seriously injured, including their postal employees; that he presented Mr. Gabe Canales with a proclamation declaring February 19, 2013 as Blue Cure Prostate Cancer Prevention Day in the City, to learn more about his efforts go to www.joinbluecure.org; that Mayor Parker had referenced the Rodeo, the Houston Livestock Show and Rodeo was kicking off on Monday and this Friday was Go Texan Day; that the annual District H CIP meeting was scheduled for next Wednesday at 6:30 p.m. at Sam Houston High School, 9400 Irvington Boulevard; that he wanted to honor the two members of the Bryan Fire Department who passed away over the weekend, that he wanted to thank Lieutenant Eric Wallace and Lieutenant Gregory Pickard for their service, his thoughts and prayers were with their families, friends and neighbors, that their local firefighters had also been involved in outreach trying to assist them in anyway possible and he appreciated their efforts; that “Run Hide and Fight” had received a certificate of recognition from the Houston ADDY Awards and a Silver TELLY Award, that it had also received the EMAT Excellence in Emergency Management Award, that he encouraged people to look at the video, which was timely with what transpired in the Country; that Houston deserved a round of applause for the terrific job it did in hosting another successful showcase event, the NBA All Star Game this weekend, that obviously it came with challenges when they were managing large crowds, but that was a good thing and really showed how the City was hopping with a hub of activity all throughout, that hopefully visitors found their world known Houston hospitality. Council Members Martin, Hoang, Rodriguez, Costello, Noriega and Bradford absent.

Council Member Adams stated that on Thursday, February 21, 2013, District D would host it's annual Capital Improvement meeting from 6:30 p.m. to 8:30 p.m. at Frost Elementary School, 5200 Almeda Genoa; and announced events she attended or would be attending; that her colleague mentioned the All Star weekend, that she wanted to thank the NBA for picking District D to shower with the NBA, that they ended up at Foster Place on Friday and completed 5 homes, that she presented a proclamation on Saturday on behalf of the Mayor to the NBA Legends; that she wanted to remind all of the City of Houston employees that the Wellness Assessments would be due in March so please complete the assessments and if they had their physicals this year already they could use their numbers from their physicals to apply to their assessments. Council Members Davis, Martin, Hoang, Rodriguez, Costello, Burks and Bradford absent.

Council Member Pennington stated that he also thought the NBA did a great job, that he

enjoyed the overhead views of the City skyline during the game; and announced events he attended or would be attending; that the District G Capital Improvement Plan meeting would be held on Tuesday, February 26, 2013 from 6:30 p.m. to 8:30 p.m. at Briargrove Elementary School, 62145 San Felipe. Council Members Davis, Martin, Hoang, Rodriguez, Costello, Burks, Noriega and Bradford absent.

Council Member Green stated that he wanted to provide kudos to their Houstonians who did a great job during All Star weekend, especially to their restaurants who he thought did a fantastic job of accommodating thousands of people who came into the area, that they were highlighted this week in the Wall Street Journal, that Houston again continues to be put on the map, that he wanted to give a shout out to their club promoters; and announced events he attended or would be attending. Council Members Davis, Martin, Hoang, Rodriguez, Costello, Burks, Noriega and Bradford absent.

Council Member Brown announced events she attended or would be attending. Council Members Davis, Martin, Hoang, Rodriguez, Costello, Burks, Noriega and Bradford absent.

Council Member Cohen stated she wanted to congratulate the Westbury Christian Academy, their boys swim team recently placed third in the TAPS East Regional Championship Meet, that the swimmers would advance to the TAPS State Championship Meet at the Josh Davis Natatorium in San Antonio on Friday and they wished them the very best; that District C would be hosting their CIP meeting in two weeks on Tuesday, March 5, 2013 from 6:30 p.m. to 8:00 p.m. at the West Gray Metropolitan Multi Service Center on West Gray. Council Members Davis, Martin, Hoang, Rodriguez, Costello, Burks, Noriega and Bradford absent.

Council Member Christi stated that he did not have a ticket to the NBA All Star Game, he did not hang out with LeBron or Shaun Wade and had never felt so politically impotent in his life, and Mayor Parker stated that she did not hang out with any of them either, although she did get to hang out with Yao Ming because she gave him the key to the City on Friday. Council Members Davis, Martin, Hoang, Rodriguez, Costello, Burks, Noriega and Bradford absent.

Council Member Laster stated that he was going to present Ms. Sharon Shanahan, Administrative Services Director of District J, a 10 year Certificate of Appreciation from the City of Houston for her 10 years service to the City of Houston; the District J CIP meeting would be on Wednesday, March 6, 2013 at 6:00 p.m. at the Sharpstown Recreation Center at 6600 Harbortown Boulevard; that at the risk of being a buzz kill he wanted to congratulate the City for having the NBA event, it was great for the City, but there was a less happy side to the events of the past weekend and in large part that happened in, around or near District J, on Saturday afternoon he among thousands of other District J residents found themselves locked in snarled traffic in the Galleria area, it was a virtual standstill at Richmond, Sage, Fountainview, Chimney Rock, Westheimer and crossroads in between, that in large part, he understood, was due to flash mobs that said they needed to get to the Galleria, that in addition a number of night clubs in the area hosted very special events that went on until 4:00 a.m. on Monday and were given permits to do that by the City, that he hoped as they looked at this event and as congratulatory as they should be proud of the event, he hoped they would also do what they could to analyze how they could do it better next time. Council Members Davis, Martin, Hoang, Rodriguez, Costello, Burks, Noriega and Bradford absent.

Mayor Parker stated that they always did a post event analysis, and she was glad that he mentioned the issue of the Galleria, that as they did planning for future events the issue of the flash mob was going to be increasingly important, that they tried to anticipate where the major activities were going to be and put appropriate levels of security in, but if a flash mob, which by definition was somewhat spontaneous and everyone gets on twitter and text each other and just come there was no way to prepare for that and no way to put security in place and the Galleria,

which had significant amount of traffic on a good day on the weekend, was the target, that it puts law enforcement in a bind and she did not know that there was a good solution but they were definitely discussing that, that fortunately for them there were no major incidents while that was going on, that they had to close the Galleria and the merchants had to shut down early because it was way beyond the capacity of even the Galleria to hold the crowd that was over there, that it was an issue of concern. Council Members Davis, Martin, Hoang, Rodriguez, Costello, Burks, Noriega and Bradford absent.

Council Member Adams stated that she wanted to thank Dawn Ulrich and the Houston First Staff for everything they did to decorate downtown and around the convention center; that she wanted to thank Carl Davis because he had the opportunity to be Gaby Douglas's escort this weekend and provided Ms. Douglas with a nice gift from the City of Houston; that she wanted to thank Dr. Robins, President of the Texas Medical Center, that she toured with him on Monday and met at the South Central MLK Clinic on Reed Road to see how the Medical Center could partner with the South Central Medical Center in District D to make it a state of the art facility and provide doctors and residents from Baylor or some of the other hospitals to partner. Council Members Brown, Davis, Martin, Hoang, Rodriguez, Green, Costello, Burks, Noriega and Bradford absent. NO QUORUM PRESENT

Mayor Parker stated that she wanted to remind them to go to HuffingtonPost.com Mayor's Challenge to vote for the City of Houston in their competition for a major grant from Bloomberg Philanthropies; and Go Texan was on Friday. Council Members Brown, Davis, Martin, Hoang, Rodriguez, Green, Costello, Burks, Noriega and Bradford absent. NO QUORUM PRESENT

There being no further business before Council, the City Council adjourned at 10:13 a.m. Council Members Brown, Davis, Martin, Hoang, Rodriguez, Green, Costello, Burks, Noriega and Bradford absent. NO QUORUM PRESENT

DETAILED INFORMATION ON FILE IN THE OFFICE OF THE CITY SECRETARY.

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary